

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	UNITED STATES OF AMERICA,)	
09	Plaintiff,)	Case No. CR03-0211-JCC
10	v.)	
11	MELISSA BELINDA MARTIN,)	SUMMARY REPORT OF U.S.
12	Defendant.)	MAGISTRATE JUDGE AS TO
)	ALLEGED VIOLATION
)	OF SUPERVISED RELEASE

An initial hearing on a petition for violation of supervised release was held before the undersigned Magistrate Judge on March 2, 2007. The United States was represented by Assistant United States Attorney Katheryn Frierson, and the defendant by Mr. Terrence Kellogg. The proceedings were recorded on cassette tape.

The defendant had been charged and convicted of Conspiracy to Possess Stolen Mail and the Use of an Unauthorized Access Device. On or about January 16, 2004, defendant was sentenced by the Honorable John C. Coughenour to a term of twenty-four (24) months in custody, to be followed by three (3) years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, participation in a substance-abuse program, consent to search and seizure, no new credit to be obtained, no possession of an ID in a name other than defendant's true name, financial disclosure, and restitution.

01 In a Petition for Warrant or Summons dated December 11, 2006, and a Violation
02 Report and Warrant Request dated December 12, 2006, U.S. Probation Officer Michael S.
03 Larsen asserted the following violations by defendant of the conditions of her supervised
04 release:

05 No. 1: Committing the crime of disorderly conduct, on or about November 23, 2006,
06 in violation of the standard condition that she not violate any federal, state, or local laws.

07 No. 2: Committing the crime of driving with a suspended/revoked license, on or
08 about November 23, 2006, in violation of the standard condition that she not violate any
09 federal, state, or local laws.

10 No. 3: Committing the crime of no valid operator's license, on or about November
11 23, 2006, in violation of the standard condition that she not violate any federal, state, or local
12 laws.

13 No. 4: Failing to notify the probation officer within 72 hours of her arrest by Neah
14 Bay/Makah Tribal Police in case Number 06-213, on or about November 23, 2006, in
15 violation of standard condition number 11.

16 No. 5: Associating with known felon Michael Kelly, without permission of the
17 probation officer, in violation of standard condition number 9.

18 No. 6: Using alcohol, on or about November 23, 2006, in violation of the special
19 condition that she abstain from alcohol use.

20 No. 7: Failing to notify the probation officer of being terminated from her
21 employment, in violation of standard condition number 6.


22 No. 8: Failing to notify the probation officer of a change in residence, in violation of
23 standard condition number 6.

24 The defendant was advised of the allegations, and advised of her rights. Defendant
25 admitted to the violations, and waived any rights to an evidentiary hearing as to whether they
26 occurred.

01 I therefore recommend that the Court find the defendant to have violated the terms
02 and conditions of her supervised release as to Violations 1 through 8, and that the Court
03 conduct a hearing limited to disposition. A disposition hearing has been set before the
04 Honorable John C. Coughenour on April 3, 2007, at 8:30 a.m.

05 Pending a final determination by the Court, the defendant has been released, subject
06 to supervision.

07 DATED this 5th day of March, 2007.

08 
09 JAMES P. DONOHUE
United States Magistrate Judge

10 cc: District Judge: Honorable John C. Coughenour
11 AUSA: Ms. Katheryn Frierson
12 Defendant's attorney: Mr. Terrence Kellogg
13 Probation officer: Mr. Michael S. Larsen
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